

## **Guidance Note for Agencies on Completion of Form 3 (Non-disclosure Request) and Form 4 (full information)**

If making a non-disclosure request in relation to information you are providing, please use Form 3. The completed Form will be provided in full to the child (if able to understand), relevant persons, any safeguarder and the panel members.

The full information you want to be withheld should be provided on Form 4.

There are circumstances where it is not necessary or appropriate to make a non-disclosure request in order for information to be withheld. Please see the section at the end of this Note for details.

### **Completion of Form 3 – download form [here](#)**

#### Section 1

Please mark each box that applies, if any, to show the information you wish to be withheld.

If the non-disclosure request is about an address or whereabouts and you want additional information to be withheld to prevent indirect disclosure of the address or whereabouts - and the additional information does not fall within a category listed - please give a broad outline of the additional information at section 1(a). For example, 'name of headteacher'.

If the non-disclosure request is about information unrelated to an address or whereabouts, please give a broad outline of the information at section 1(b). For example, 'medical history of X (give name)', 'previous behaviour by Y (give name)' or 'family background of Z (give name)'.

#### Section 2

Specify the person or persons from whom you want the information to be withheld.

If you want different information withheld from different people, please make a separate non-disclosure request for each individual (or group of individuals), addressing the particular information to be withheld from that individual (or individuals).

#### Section 3

Give the reasons why you want the information to be withheld. The statutory basis for making a non-disclosure request is that disclosure of the information to the specified person or persons would be likely to cause significant harm to the child. Your reasons should therefore explain why disclosure is likely to cause significant harm to the child. Please ensure you do not include within your reasons any details of the information to be withheld as the Form will be copied to all parties.

#### Section 4

Provide details of which document or documents contain the information you want to be withheld. Please mark the relevant box or boxes. Ideally provide the information that you want to be withheld only on Form 4 and not within any other document. However, if you do include the information in a document other than Form 4, please specify the name and date of the document. Unless the document contains nothing but the information you want to be

withheld, please also specify where within the document the non-disclosure information is contained – for example by giving the page and paragraph number.

### **Completion of Form 4 - download form [here](#)**

Please use Form 4 to provide the full information which you are requesting to be withheld. Specify the full information under the relevant category.

Indicate, using the boxes, whether the information is contained only in Form 4 or is also contained in your report.

If you are making more than one non-disclosure request (because you want different information withheld from different people) please complete a Form 4 for each request.

### **Interaction with other Non-disclosure Provisions**

1. Where the child would not be able to understand a report or document, the reporter will not provide the information to the child (rule 18 of the Children's Hearings Rules). There is no need for a non-disclosure request. The reporter presumes that a child of 6 or older will understand hearing notifications and that a child of 12 or over will understand hearing papers, but each child will be assessed individually. If you consider that particular information should be withheld from the child (because of likely significant harm to the child) where the reporter is **not** applying rule 18, you should make a non-disclosure request.
2. Where there is a non-disclosure measure in the child's order, the reporter will withhold the placement address from the person(s) specified in the measure. The reporter may also withhold additional information to prevent indirect disclosure, for example the name of the carer. There is therefore no need to make a non-disclosure request in relation to the placement details.
3. Where disclosure of the child's or a relevant person's current whereabouts is likely to cause significant harm to the child or a relevant person, the reporter will withhold their whereabouts (rule 16 of the Children's Hearings Rules). There is therefore no need to make a non-disclosure request in relation to current whereabouts. The only exception would be if you have asked the reporter to apply rule 16 and the reporter has declined to do so.